

# Agenda Item Form

Agenda Date: 08/17/04

Districts Affected: N/A

Dept. Head/Contact Information: Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127

## Type of Agenda Item:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Resolution   | <input type="checkbox"/> Staffing Table Changes   | <input type="checkbox"/> Board Appointments        |
| <input type="checkbox"/> Tax Installment Agreements                         | <input type="checkbox"/> Tax Refunds              | <input type="checkbox"/> Donations                 |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement                   | <input type="checkbox"/> Budget Transfer          | <input type="checkbox"/> Item Placed by Citizen    |
| <input type="checkbox"/> Application for Facility Use                       | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements                              | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application         |
| <input checked="" type="checkbox"/> Other <u>Personal Services Contract</u> |   |  |

## Funding Source:

- ☒ General Fund
- ☐ Grant (duration of funds: \_\_\_\_\_ Months)
- ☐ Other Source: \_\_\_\_\_

## Legal:

☒ Legal Review Required      Attorney Assigned (please scroll down): Lupe Cuellar      ☒ Approved      ☐ Denied

Timeline Priority:   ☒ High      ☐ Medium      ☐ Low      # of days: \_\_\_\_\_

## Why is this item necessary:

Mr. Rincon's position is vital to the Juvenile Compliance section of the Municipal Court. Mr. Rincon will provide clerical support to the Juvenile Compliance Coordinator, answering counter and telephone inquiries from juvenile defendants and their parents; preparing driver's license suspension notices and clearances to DPS; processing citation and trial notices to parents; updating the juvenile data base and apprising juveniles of their community service assignments and education classes.

## Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

Salary & benefits

## Statutory or Citizen Concerns:

None anticipated

## Departmental Concerns:

None anticipated

JOE WARDY  
MAYOR



**CITY COUNCIL**

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

To: Honorable Mayor Joe Wardy and City Representatives  
From: Richarda Duffy Momsen, Municipal Clerk  
Subject: Deputy Court Clerk I Contract on Agenda for August 17, 2004  
Date: August 12, 2004

Please be advised that a personal services contract for Carlos Rincon as a part-time Deputy Court Clerk I will appear on the City Council agenda for August 17, 2004. This position is grant funded from the Office of the Governor, Criminal Justice Division, through the grant award for the Juvenile Compliance Project. Mr. Rincon will provide clerical support to the Juvenile Compliance Coordinator, answering counter and telephone inquiries from juvenile defendants and their parents; preparing driver's license suspension notices and clearances to DPS; processing citation and trial notices to parents; updating the juvenile data base and apprising juveniles of their community service assignments and education classes. The number of work hours per week will be twenty.

I am available at 541-4127 if I may answer any additional questions.

**Funding Source: Department Id # 11150068 Municipal Courts State Grants  
Grant # G110501 Juvenile Compliance Project  
Acct. # 501011 Part-time Temporary - Civilian**

**Districts Affected: Juvenile defendants in all districts.**

CC: Jim Martinez, CAO  
Lisa Elizondo, City Attorney  
Adrian Ocegueda, Executive Assistant to the Mayor

## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CARLOS A. RINCON**, to assist the Municipal Court Department as a Deputy Court Clerk I at an hourly rate of \$9.98 for 20 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

**APPROVED** this 17th day of August, 2004.

THE CITY OF EL PASO

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Joe Wardy  
Mayor

ATTEST:

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

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Guadalupe Cuellar  
Deputy City Attorney

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

**PERSONAL SERVICES CONTRACT**

This contract entered into by and between the **CITY OF EL PASO**, a home rule municipal corporation hereinafter referred to as "City," and **CARLOS A. RINCON**, hereinafter referred to as "Employee," witnesseth:

**WHEREAS**, the City, on behalf of the Municipal Court Department, desires to employ the Employee as a Deputy Court Clerk I; and

**WHEREAS**, Employee possesses the skills to render said employment to the City.

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1.     SCOPE OF SERVICES.     Employee shall perform the services found in Attachment A, attached and made a part hereof, under the terms and conditions hereinafter stated, and the Employee hereby accepts and agrees to perform such services for the Municipal Court Department, in El Paso, Texas.

2.     TIME OF PERFORMANCE.     The services of Employee are to commence on or about September 1, 2004 and be completed by August 31, 2005.

3.     COMPENSATION AND METHOD OF PAYMENT.     Employee shall be paid at an hourly rate of Nine and 98/100 Dollars (\$9.98). The employee shall work a minimum of Twenty (20) hours per week.

The City will provide no other fringe benefits. Employee agrees that at no time will he make a claim against the City for more than the rate provided under the terms of this contract.

4.     LOCATION OF PERFORMANCE.     The place where such services are to be performed is in the Municipal Court, City and County of El Paso, State of Texas, or such other places as may be directed by the City in order to fulfill the terms of this Contract.

5. LAW GOVERNING CONTRACT. For purposes of determining the place of the Contract and the law governing the same, it is agreed that the Contract is entered into in the City and County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in the courts of El Paso County, Texas.

6. COMPLETE AGREEMENT. This agreement constitutes and expresses the entire agreement between the parties hereto in reference to the personal services of the Employee for the City, and in reference to any of the matters or things herein provided for, or hereinbefore discussed or mentioned in reference to such services, all promises, representations and understanding relative thereto herein being merged.

7. TERMINATION. Either party may terminate this contract without cause after ten (10) days written notice to the other party of the intention to terminate this contract, or at any time by mutual agreement of the parties. Should the City have cause to terminate this agreement, the contract may be terminated immediately upon notification to the Employee of the cause for termination. The right to terminate the contract under the provisions specified in this paragraph may be exercised by the Chief Administrative Officer on behalf of the City.

8. MISCELLANEOUS. The City shall provide such office space for Employee as is necessary, in the sole determination of the City, for Employee to carry out his duties under this Contract.

9. NOTICE. Any notices required under this contract shall be sufficient if sent by Certified Mail, Return Receipt Requested, postage prepaid, to the City or the Employee at the following addresses:

CITY: City of El Paso  
Municipal Court

Attn: Municipal Clerk  
810 East Overland  
El Paso, Texas 79901

EMPLOYEE: Carlos A. Rincon

**IN WITNESS WHEREOF** the parties have executed this agreement at El Paso,  
Texas this 17th day of August, 2004.

CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

EMPLOYEE:

\_\_\_\_\_  
Carlos A. Rincon  
SSN:

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Guadalupe Cuellar  
Deputy City Attorney

\_\_\_\_\_  
Richarda Duffy Momsen  
Municipal Clerk

APPROVED BY THE CIVIL SERVICE COMMISSION:

By: \_\_\_\_\_, Secretary  
Date: 8/12/04

Clerical and Office Branch  
General Clerical Group  
Municipal Court Series

DEPUTY COURT CLERK I

04/00 (REB)

*Summary*

Under general supervision, on assigned shift, perform clerical work related to court administration.

*Typical Duties*

Convey warrant and commitment information to law enforcement agencies, defendants, attorneys and other authorized persons. Involves: searching computer and paper files for documentation by subject name, alias, or possible nickname; relaying information such as quantity of warrants, warrant numbers, nature of violations, dates of offense and amounts owed on warrants; booking out and in warrants or commitments to or from law enforcement officers; providing certified and sealed copies to designated persons; generating such standardized correspondence as warrant notifications and conviction letters; responding to procedural inquiries from the public on the telephone or in person; retrieving, entering and updating defendant citation records; accepting and issuing various documents such as proof of Defensive Driving compliance and driving histories; issuing payment plans and extensions; accepting payments after hours from defendants in custody; filing defendant motions; issuing court dates for indigent hearings; maintaining daily log on activity on each citation; witnessing signatures on complaints; issuing citation books to El Paso Police Officers and City inspectors.

Review and activate warrants. Involves: verifying information on tickets against warrant or commitment; correcting errors within designated limits or notifying supervisor of discrepancies; assisting law enforcement personnel in filing warrants; issuing warrant numbers for Magistrate Warnings; preparing jail commitments on overdue payments; verifying warrant or commitment data input against daily log; researching recalled warrants to determine appropriate status for review by supervisor; processing and filing various legal documents, including warrants, commitments, affidavits, emergency protective orders and nonresident violator compacts; reviewing daily report of warrants paid and pulling paid warrants.

Schedule court cases. Involves: slating appropriate number and type of cases for each session; retrieving relevant court documents and reviewing them for completeness and accuracy; reviewing Police Officer work schedules to ensure availability for court dates, as needed; communicating court information to designated parties, such as defendants, parents of juvenile defendants, witnesses, law enforcement personnel, City inspectors, attorneys and bail bond company representatives, by telephone or routine correspondence; maintaining files of correspondence and subpoenas issued, and records of Police Officer attendance in court.

Perform related incidental duties contributing to realization of unit or team objectives as required. Includes: substituting for supervisor or coworkers as qualified and within authorized limits by carrying out specified functions to maintain continuity of ordinary operations, if delegated; providing designated support for projects or activities overseen by higher graded non-supervisory personnel as instructed; explaining and demonstrating work performed to assist supervisor in orienting and training less knowledgeable employees; engaging in assignments pertaining to functions of other positions for training purposes under close supervision; logging activities, and preparing and submitting recurring or special status reports; keeping tools, equipment and work area orderly, safe and clean.

*Minimum Qualifications*

Training and Experience: Graduation from high school or equivalent plus three (3) years of general clerical experience, one (1) year of which included regular or frequent direct public contact; or an equivalent combination of training and experience.

Knowledge, Abilities and Skills: Good knowledge of: office practices and procedures; business English, grammar and spelling. Some knowledge of: automated record keeping systems.

Ability to: check legal documents for accuracy and completeness; work quickly and accurately within deadlines; follow oral and written instructions; communicate effectively, both orally and in writing; establish and maintain effective working relationships with fellow employees, officials and the general public; update and maintain specialized electronic and hard copy court records.

Skill in safe operation and care of: personal computers or network workstation; generic business productivity and specialized court software comparable to that installed; common office equipment.

# **CARLOS A. RINCON**

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## **Objective**

To continue to fulfill the tasks required and asked of me with my abilities, resources and knowledge I can bring to your organization.

## **Qualifications**

I am currently employed by the City of El Paso as a Deputy Court Clerk in the Juvenile Compliance department. I am familiar with the daily process of compliance orders and notices. I was employed at the County Clerks office as a Deputy Court Clerk. I am also attending college where I major in law and legal studies.

## **Education**

1988 - 1992	El Paso High School/ General Equivalency
1993 - 1994	El Paso Community College
2000 - Pres.	El Paso Community College/ U.T.E.P

## **Employment**

2002 - 2003      Deputy Court Clerk, City of El Paso  
I work in the Juvenile Compliance Department where my duties include sending notification to judges and to the Department of Public Safety. Log and send notifications to Juvenile defendants. Identify repeat offenders to judges. Keep Statistical count on juveniles ordered to community service, Alcohol and/or Tobacco classes.  
Supervisor: Teresa Laurenzana  
Phone (915) 546-2940

2001 - 2002      Clerk, El Paso Community College  
Had the responsibility of answering phones and helping the receptionist on duty. I also had to arrange student information packets, filling and retrieving files. Create copies for packets and send out and deliver information. Able to work with all office equipment.  
Supervisor: Veronica Cena  
Phone (915) 831-4123

1995 - 2000      Deputy County Clerk, El Paso County Clerks Office  
Worked in the Records Management and Civil/Criminal department and in court surroundings, capable of doing a number of jobs, which included customer service, data entry, retrieve legal documents, microfilm, run a film processor and work with bar coding systems.  
Supervisor: Anthony Bedoya or Yolanda Armendariz  
Phone (915) 546-8101